

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

COMMON CAUSE, *et al.*,

Plaintiffs,

v.

BRAD RAFFENSPERGER,

Defendant.

CIVIL ACTION

FILE NO. 1:22-CV-00090-ELB-
SCJ-SDG

GEORGIA STATE CONFERENCE
OF THE NAACP, *et al.*,

Plaintiffs,

v.

STATE OF GEORGIA, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:21-CV-5338-ELB-
SCJ-SDG

DEFENDANT’S NOTICE OF DECISION NOT TO SEEK STAY

Defendants in the above-styled cases previously notified the Court of the final orders in the cases *Alpha Phi Alpha v. Raffensperger*, *Grant v. Raffensperger*, and *Pendergrass v. Raffensperger* (collectively, the “Section 2 cases”) on October 26, 2023, enjoining the use of the same redistricting plans challenged in these cases. [CC Doc. 135]; [Ga. NAACP Doc. 198]. During the pretrial conference on October 31, 2023, the Court required Defendants to notify the Court by Friday, November 3, 2023, whether Defendants in the

Section 2 cases were planning to seek a stay of the rulings enjoining the plans pending appeal.

Defendant Secretary of State Brad Raffensperger¹ hereby notifies the Court that, although he plans to appeal the rulings in the Section 2 cases on the merits, he will not seek a stay of the orders enjoining the use of the 2021 redistricting plans (*Alpha Phi Alpha* Doc. 333, *Grant* Doc. 294, *Pendergrass* Doc. 286) while any appeals of those orders are pending.

Respectfully submitted this 1st day of November, 2023.

Christopher M. Carr
Attorney General
Georgia Bar No. 112505
Bryan K. Webb
Deputy Attorney General
Georgia Bar No. 743580
Russell D. Willard
Senior Assistant Attorney General
Georgia Bar No. 760280
State Law Department
40 Capitol Square, S.W.
Atlanta, Georgia 30334

/s/ Bryan P. Tyson
Bryan P. Tyson
Special Assistant Attorney General
Georgia Bar No. 515411
btyson@taylorenghish.com

¹ The final orders in the Section 2 cases dismissed claims against members of the State Election Board, so the Secretary is the only remaining Defendant in those cases. The remaining Defendants in the *Ga. NAACP* case are not part of the Section 2 cases.

Frank B. Strickland
Georgia Bar No. 687600
fstrickland@taylorenghish.com
Bryan F. Jacoutot
Georgia Bar No. 668272
bjacoutot@taylorenghish.com
Diane Festin LaRoss
Georgia Bar No. 430830
dlaross@taylorenghish.com
Donald P. Boyle, Jr.
Georgia Bar No. 073519
dboyle@taylorenghish.com
Daniel H. Weigel
Georgia Bar No. 956419
dweigel@taylorenghish.com
Taylor English Duma LLP
1600 Parkwood Circle
Suite 200
Atlanta, GA 30339
Telephone: 678-336-7249

Counsel for Defendants

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing Notice has been prepared in Century Schoolbook 13, a font and type selection approved by the Court in L.R. 5.1(B).

/s/Bryan P. Tyson
Bryan P. Tyson